

87-3-123. Use of silencers or mufflers on firearms forbidden. No person may take into a field or forest or have in his possession while out hunting any device or mechanism devised to silence, muffle, or minimize the report of any firearms, whether such device or mechanism be operated from or attached to any firearm.

This 1921 statute is overbroad in that it certainly infringes on private property rights without justification. It creates a felonious act for reducing the report of a firearm for any reason.

87-1-102. Penalties -- violation of state law. (1) A person who purposely, knowingly, or negligently violates a provision of this title or any other state law pertaining to fish and game is guilty of a misdemeanor, **except if a felony is expressly provided by law**,...

Provisions for enforcement of illegal silencer use already exist in the Montana Code. Title 45 chapter 8 parts 336-337 directly address illegal use of a silencer and provide penalties for violation of these statutes.

45-8-336. Possession of a silencer. (1) A person commits the offense of possession of a silencer if he possesses, manufactures, transports, buys, or sells a silencer and has the purpose to use it to commit an offense or knows that another person has such a purpose.

(2) A person convicted of the offense of possession of a silencer is punishable by imprisonment in the state prison for a term of not less than 5 years or more than 30 years or a fine of not less than \$1,000 or more than \$20,000 or by both such fine and imprisonment.

45-8-337. Possession of unregistered silencer or of bomb or similar device prima facie evidence of unlawful purpose. Possession of a silencer that is not registered under federal law or of a bomb or similar device charged or filled with one or more explosives is prima facie evidence of a purpose to use the same to commit an offense.

This statute prohibits possession for any reason, not just big game hunting or poaching. Target shooting, predator control and varmint hunting are also prohibited. It also prohibits large freestanding shoot-through mufflers used on private property. (Used to keep your neighbors happy)

I contacted FWP about the use of a silencer for hunting varmints.

- I was referred to statute 87-3-123

I asked for clarification on target shooting with a silencer as "field or forest" was not defined in the statute. The response I got was:

"Yes by the literal interpretation of the law shooting a silenced gun at targets in the field or forest would be prohibited. However, on private property that you have permission to shoot targets or at a shooting range you should not have a problem as long as you possess the appropriate federal licenses."

I had a meeting with the Sheriff to discuss suppressors and specifically asked about 87-3-123 and target shooting. I was told that the deputies had better things to do than arrest someone target shooting with a suppressor.

What does a suppressor do?

Not what Hollywood would have you believe.

Suppressors reduce the muzzle blast of a firearm, usually to "hearing safe" levels. They are also effective at reducing the felt recoil of a rifle without exposing the shooter to increased muzzle blast like a traditional muzzle brake does.

They reduce the sound pressure level of the muzzle blast approximately 20-40 decibels. They have no effect on the noise created by the bullet, the sonic boom or otherwise.

Why use a suppressor?

- Protect your hearing
 - The first shot is the most dangerous to hearing.
- Reduce environmental noise
 - Loud car stereos
 - Mufflers on cars
 - Mufflers on OHV
- Courtesy

Poaching

In 1992 Finland established a project to test suppressors of rifle caliber firearms and various shooting range structures against shooting noise. The outcome of this testing was the 1993 report Suppressors and Shooting range Structures. Section 10 of this report states:

10 POACHING?

Suppressors do not decisively favor poaching or other criminal activity since they do not affect the bullet noise. The bass tuned 130 - 140 dB sound of the suppressed muzzle blast is also heard quite far, yet is not so disturbing. (Complete suppressors only exist in cinema). Because of the prejudice caused by the old hunting legislation, a person who hunts with a suppressed gun may have to carry a copy of the new law (615/93) for a long time.

Big bore air rifles of .45 and .50 caliber are readily available and able to kill big game as well. They are also quieter than a suppressed centerfire rifle.

FWP web site: Today, the Law Enforcement Division is comprised of 75 District Wardens, 11 Warden Sergeants, 7 Warden Captains, 6 Regional Investigators, 3 Investigators, 1 Investigator Supervisor, 2 Warden Trainees, 3 Enforcement Program Managers, 1 Law Enforcement Chief and 1 Assistant Chief

110 Enforcement officers, 145,552 square miles roughly 1300 sq. mi per officer. (46% rural)

By definition all suppressors used for an illegal purpose are illegal.

Hunting - Fair Chase?

Boone and Crockett Club: " the ethical, sportsmanlike, and lawful pursuit and taking of any free-ranging wild, native North American big game animal in a manner that does not give the hunter an improper advantage over such animals."

Montana Hunter Education Manual - Chapter 2: "Fair Chase means balancing the skills and equipment of the hunter with the abilities of the animal to escape."

FWP web article: What Is Fair in Fair Chase? Friday, September 19, 2003
"Fair chase is not about the fairness of the kill (the end) but about the fairness of the chase (the means). In fair chase hunting, not only do the means justify the end , but the means are the end: the chase is the hunt. And a fair chase hunter earns the privilege to take an animal's life by mastering the skills of the hunt."

"Fair chase" is a complicated concept, just because it's legal doesn't make it ethical or fair chase.

- Is hunting big game with a suppressor fair chase?
 - Only comes into play when the shot is taken – the chase is already over.
 - Cease fire on a shooting range to wait for animals to leave the range – noise doesn't bother the animals.
 - Shooting an animal silently – 2 arguments for this
 - The shot is not silent, only muffled
 - Centerfire rifle bullets get there before the sound (supersonic) so technically all shots are silent to the animal being shot.
 - Subsonic bullets are equivalent to big bore air rifles.
- 17 states allow suppressors for hunting
 - 16 allow suppressors for all game animals, predators and varmints
 - 1 allows suppressor use only for non-game animals

It's the hunter and his behavior that determines Fair Chase not the equipment he is carrying.

Jack Ward Thomas, former B&C Professor of Wildlife Conservation at the School of Forestry of the University of Montana Article: Just what is Fair Chase? Queried some "old timers" in the B&C club.

The ultimate test of fair chase came when he knelt beside an animal that he had killed and stroked the hair and asked, "Do I feel good about what I have done – and sad too?" When the answer was "yes" he knew fair chase. If the answer had been "no" he would have known it was time to cease hunting.

NFA Information

Suppressors are regulated by the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE) under the National Firearms Act

How do you get a legal suppressor?

- Build it yourself
 - Must have approved Form 1 before building
- Buy one from a licensed title 2 manufacturer
 - Must purchase suppressor before submitting Form 4
 - At a cost of several hundred to several thousand dollars
 - Can not take possession of suppressor until approved Form 4 is received.

Form 1 manufacture – 2 copies

Form 4 purchase – 2 copies

Photographs – 2 recent 2x2" photos

Fingerprint cards – 2 copies

CLEO signature – original signatures on both copies in blue or black ink.

\$200

Form 1 instructions section 2:

- a. application in duplicate
- b.
- c. Tax required
- d. Photographs and fingerprints
- e. Signatures
- f. Payment required
- g. Forms
- h. Serial numbers
- i. Submission – blue or black ink, sent to correct address

Form 4 instructions section 2:

- a. application in duplicate
- b.
- c. Transferee qualifications
- d. Transferee certification
- e. Law Enforcement certification
- f. Photographs and fingerprints
- g. Signatures
- h. Remittance
- i. Tax rate
- j. Forms
- k. Estates
- l. Submission – blue or black ink, sent to correct address
- m. State or local permit

An NFA item must remain under the control of the individual it is registered to.

Suppressors are legal to possess in these 39 states:

AK, AL, AR, AZ, CO, CT, FL, GA, IA, ID, IN, KS, KY, LA, MD, ME, MS, MO, MT, ND, NE, NH, NV, NM, NC, OH, OK, OR, PA, SC, SD, TN, TX, UT, VA, WA, WI, WV, and WY

Suppressors are legal for hunting in no fewer than 17 states:

Alaska	all game animals, predators and varmints
Arkansas	all game animals, predators and varmints
Colorado	all game animals, predators and varmints
Kentucky	all game animals, predators and varmints
Mississippi	all game animals, predators and varmints
Maryland	all game animals, predators and varmints
North Dakota	all game animals, predators and varmints
Nebraska	all game animals, predators and varmints
Pennsylvania	all game animals, predators and varmints
South Carolina	all game animals, predators and varmints
South Dakota	all game animals, predators and varmints
Tennessee	all game animals, predators and varmints
Texas	* non-game animals (predators & varmints)
Utah	all game animals, predators and varmints
Virginia	all game animals, predators and varmints
West Virginia	all game animals, predators and varmints
Wisconsin	all game animals, predators and varmints

Attachments:

BATFE Form 1

BATFE Form 4

FBI Fingerprint cards

Suppressors and Shooting range Structures (report)

Application to Make and Register a Firearm

(Submit in duplicate. See Instructions attached.)				ATF Control Number	
To: National Firearms Act Branch, Bureau of Alcohol, Tobacco, Firearms and Explosives, 244 Needy Road, Martinsburg, WV 25401					
The undersigned hereby makes application, as required by Sections 5821 and 5822 of the National Firearms Act, Title 26 U.S.C., Chapter 53, to make and register the firearm described below.				1. Type of Application (<i>check one</i>)	
2. Application is made by:		3a. Trade Name (<i>if any</i>)		a. Tax Paid. Submit with your application a check or money order for \$200 made payable to the Department of the Justice. Upon approval of the application, this office will acquire, affix, and cancel the required "National Firearms Act" stamp for you.	
<input type="checkbox"/> Individual <input type="checkbox"/> Corporation or other Business Entity <input type="checkbox"/> Government Entity				<input type="checkbox"/>	
3b. Applicant's Name and Mailing Address				b. Tax Exempt because firearm is being made on behalf of the United States, or any department, independent establishment, or agency thereof.	
				<input type="checkbox"/>	
3c. If P.O. Box is Shown Above, Street Address Must Be Given Here				c. Tax Exempt because firearm is being made by or on behalf of any State or possession of the United States, or any political subdivision thereof, or any official police organization of such a government entity engaged in criminal investigations.	
				<input type="checkbox"/>	
3d. County		3e. Telephone Area Code and Number			
Important: Complete the reverse side. Individuals (<i>Including Federally Licensed Collectors</i>) must also submit, in duplicate, FBI Form FD-258, Fingerprint Card.					
4. Description of Firearm (<i>complete items a through i</i>)				d. Model	
a. Name and Location of Original Manufacturer of Firearm (<i>Receiver</i>) (<i>if prototype, furnish plans and specifications</i>) (<i>See instruction 2h</i>)		b. Type of Firearm to be made (<i>See Instruction 1c</i>)		Length (inches)	
				e. Of Barrel:	
				f. Overall:	
				g. Serial Number (<i>See instruction 2h.</i>)	
h. Additional Description (<i>Include all numbers and other identifying data which will appear on the firearm</i>)		i. State Why You Intend to Make Firearm (<i>Use additional sheet if necessary</i>)			
5. Applicant's Federal Firearms License (<i>If any</i>)		6. Special (Occupational) Tax Status			
(<i>Give complete 15-digit Number</i>)		a. Employer Identification Number (<i>if applicable</i>)		b. Class	
Important: Give full details on separate sheet for all "Yes" answers in items 7 and 8					
7. Are You:		Yes	No	8. Have You:	
a. Charged by information or under indictment in any court for a crime for which the judge could imprison you for more than one year. An information is a formal accusation of a crime made by a prosecuting attorney.		<input type="checkbox"/>	<input type="checkbox"/>	a. Been convicted in any court of a crime for which the judge could have imprisoned you for more than one year, even if the judge actually gave you a shorter sentence?	
b. A fugitive from justice?		<input type="checkbox"/>	<input type="checkbox"/>	b. Been discharged from the armed forces under dishonorable conditions?	
c. An alien who is illegally in the United States?		<input type="checkbox"/>	<input type="checkbox"/>	c. Been adjudicated mentally defective or been committed to a mental institution?	
d. Under 21 years of age?		<input type="checkbox"/>	<input type="checkbox"/>	d. Renounced your United States citizenship?	
e. An unlawful user of or addicted to, marijuana, or any depressant, stimulant, or narcotic drug, or any other controlled substance.		<input type="checkbox"/>	<input type="checkbox"/>	e. Been convicted in any court of a misdemeanor crime of domestic violence? (<i>see instruction 1m</i>)	
f. Subject to a court order restraining you from harassing, stalking or threatening an intimate partner or child of such partner? (<i>see Instruction 7c</i>)		<input type="checkbox"/>	<input type="checkbox"/>		

Under Penalties of Perjury, I Declare that I have examined this application, including accompanying documents, and to the best of my knowledge and belief it is true, accurate and complete and the making and possession of the firearm described above would not constitute a violation of Chapter 44, Title 18, U.S.C., Chapter 53, Title 26, U.S.C., or any provisions of State or local law.

9. Signature of Applicant	10. Name and Title of Authorized Official of Firm or Corporation (<i>if applicable</i>)	11. Date
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The space below is for the use of the Bureau of Alcohol, Tobacco, Firearms and Explosives

By authority of the Director, Bureau of Alcohol, Tobacco, Firearms and Explosives, this application has been examined and the applicant's making and registration of the firearm described above is:

☐ Approved (*With the following conditions, if any*)

☐ Disapproved (*For the following reasons*)

Authorized ATF Official

Date

Additional Requirements

12. Photograph

Affix
Recent Photograph Here
(Approximately 2" x 2")
(See instruction 2d)

13. Law Enforcement Certification (See important note below)

I certify that I am the chief law enforcement officer of the organization named below having jurisdiction in the area of residence of

(Name of Maker)

I have no information indicating that the maker will use the firearm or device described on this application for other than lawful purposes. I have no information that **Possession of the Firearm described in item 4 on the Front of this Form would place the maker in Violation of State or Local Law.**

(Signature and Title of Chief Law Enforcement Officer - see IMPORTANT note below)

By (See important note below)

(Signature and Title of Delegated Person)

(Organization)

(Street Address)

(City, State, and ZIP Code)

(Date)

Important: The chief law enforcement officer is considered to be the Chief of Police for the maker's city or town of residence, the Sheriff for the maker's county of residence; the Head of the State Police for the maker's State of residence; a State or local district attorney or prosecutor having jurisdiction in the maker's area of residence; or another person whose certification is acceptable to the Director, Bureau of Alcohol, Tobacco and Firearms and Explosives. If someone has specific delegated authority to sign on behalf of the Chief of Police, Sheriff, etc., this fact must be noted by printing the Chief's, Sheriff's, or other authorized official's name and title, followed by the word "by" and the full signature and title of the delegated person. Item 13 must be completed for an individual maker. The certification must be dated no more than one year prior to the date of receipt of the application.

Important Information for Currently Registered Firearms

If this registration document evidences the current registration of the firearm described on it, please note the following information.

Estate Procedures: For procedures regarding the transfer of firearms in an estate resulting from the death of the registrant identified in item 3, the executor should contact the NFA Branch, Bureau of ATF, 244 Needy Road, Martinsburg, WV 25401.

Interstate Movement: If the firearm in item 4 is a machinegun, short-barreled rifle, short-barreled shotgun, or destructive device, the registrant may be required by 18 U.S.C. § 922(a)(4) to obtain permission from ATF prior to any transportation in interstate or foreign commerce.

Change of Description: The registrant shall notify the NFA Branch, Bureau of Alcohol, Tobacco, Firearms and Explosives, 244 Needy Road, Martinsburg, WV 25401, in writing, of any change to the description of the firearms in item 4.

Restrictions on Possession: Any restriction (*see approval block on face of form*) on the possession of the firearm identified in item 4 continues with the further transfer of the firearm.

Persons Prohibited from Possessing Firearms: If the registrant becomes prohibited by 18 U.S.C. § 922 from possessing a firearm, the registrant shall notify the NFA Branch, Bureau of Alcohol, Tobacco, Firearms and Explosives, 244 Needy Road, Martinsburg, WV 25401, in writing, immediately upon becoming prohibited for guidance on the disposal of the firearm.

Proof of Registration: This approved application is the registrant's proof of registration and it shall be made available to any ATF officer upon request.

Instructions

1. Definitions.

- a. **National Firearms Act (NFA).** Title 26, United States Code, Chapter 53. The implementing regulations are found in Title 27, Code of Federal Regulations, Part 479.
- b. **Gun Control Act (GCA).** Title 18, United States Code, Chapter 44. The implementing regulations are found in Title 27, Code of Federal Regulations, Part 478.
- c. **Firearm.** The term "firearm" means: (1) a shotgun having a barrel or barrels of less than 18 inches in length; (2) a weapon made from a shotgun if such weapon as modified has an overall length of less than 26 inches or a barrel or barrels of less than 18 inches in length; (3) a rifle having a barrel or barrels of less than 16 inches in length; (4) a weapon made from a rifle if such weapon as modified has an overall length of less than 26 inches or a barrel or barrels of less than 16 inches in length; (5) any other weapon, as defined in 18 U.S.C. 5845 (e); (6) a machinegun; (7) a muffler or a silencer for any firearm whether or not such firearm is included within this definition; and (8) a destructive device.
- d. **Person.** The term "person" means a partnership, company, association, trust, estate, or corporation as well as a natural person.
- e. **Employer Identification Number (EIN).** Required of taxpayer filing special (occupational) tax returns under 27 CFR § 479.35.
- f. **Special (Occupational) Tax.** Required by the NFA to be paid by a Federal firearms licensee engaged in the business of manufacturing (Class 2), importing (Class 1), or dealing (Class 3) in NFA firearms.
- g. **Federal Firearms License.** A license issued under the provisions of the GCA to manufacture, import or deal in firearms.
- h. **ATF Officer.** An officer or employee of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) authorized to perform any function relating to the administration of the NFA.
- i. **Make.** The term "make", and the various derivatives of such word, shall include manufacturing (other than by one qualified to engage in such business under the NFA), putting together, altering, any combination of these, or otherwise producing a firearm.
- j. **Misdemeanor Crime of Domestic Violence.** A crime that is a misdemeanor under Federal or State law and has, as an element, the

use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, parent, or guardian. The term includes all misdemeanors that involve the use or attempted use of physical force (e.g., simple assault, assault and battery), if the offense is committed by one of the defined parties. The person is NOT considered to have been convicted of such crime unless the person was represented by a lawyer or gave up the right to a lawyer, and, if the person was entitled to a jury trial, was tried by a jury or gave up the right to a jury trial.

- k. **Reactivation.** The restoration of a registered unservicable NFA firearm to a functional condition. This action incurs the making tax liability.

- l. **Unservicable Firearm.** One which is incapable of discharging a shot by means of an explosive and incapable of being readily restored to firing condition. An acceptable method of rendering most firearms unservicable is to fusion weld the chamber closed and fusion weld the barrel solidly to the frame.

2. Preparation of Application and Payment of Tax.

- a. **Authority.** As provided by 26 U.S.C. § 5822, any person (*other than a qualified manufacturer of firearms (see paragraph b)*) seeking to make a firearm must complete, in duplicate, a separate application on this form for each firearm. The applicant maker must furnish all the information called for on this application form.
- b. **Registration by Qualified Manufacturer.** A person who has a Federal firearms license to manufacture firearms (*Type 07 or 10*) and who has paid special (occupational) tax to manufacture NFA firearms is exempt from the making tax and filing of the ATF Form 1 application. Such qualified manufacturer must report and register each NFA firearm manufactured by filing ATF Form 2. Notice of Firearms Manufactured or Imported, as required by 27 CFR § 479.102.
- c. **Payment of Exemption from Payment of Tax.** As provided in 26 U.S.C. § 5821, there is a \$200.00 tax on each firearm made, except as provided in 26 U.S.C. §§ 5852 and 5853, when an NFA firearm may be made without payment of the tax when made by, or on behalf of the United States or any State or political subdivision thereof. Document-

ation that the firearm is being made for a government entity, such as a United States government contract or a State or local government agency purchase order, must accompany the application. The reactivation of a registered unservicable firearm is subject to the making tax.

d. **Photograph and Fingerprints.** An individual maker must (1) attach to each copy in item 12 of the ATF Form 1, a 2 inch x 2 inch photograph of his/her frontal view taken within 6 months prior to the date of the application and (2) submit two properly completed FBI Forms FD-258 (*Fingerprint Card with blue lines*) with the application. The fingerprints must be clear for accurate classification and taken by someone properly equipped to take them.

e. **Signatures.** All signatures required on ATF Form 1 must be original in ink on both copies.

f. **Remittance.** If the application is subject to the making tax, a check or money order, made payable to the Bureau of Alcohol, Tobacco, Firearms and Explosives, in the amount of \$200.00 must be submitted with the ATF Form 1. Do not send cash.

g. **Photocopies or Computer Generated Versions.** The ATF Form 1 may be photocopied or a computer-generated version (*as long as it is in the same format and contains all required information*) may be used. This form may also be downloaded from the ATF Internet website at www.atf.gov.

h. **Serial Numbers and other Markings.** If an existing firearm is being modified into an NFA firearm, enter the existing serial number of the firearm into item 4g and the name and address of the original manufacturer into item 4a. **Do not Alter or Modify the existing Serial Number.** If the NFA firearm is being made from parts, your name and address are to be entered into 4a and a serial number you create is to be entered into item 4g.

i. **Submission.** All requested information must be entered in blue or black ink and must be legible. Illegible entries will be returned for correction. Send both copies of the ATF Form 1 and attachments to the address located in the upper right hand corner on the face side of the ATF Form 1. The return of the application or your sending it to any other address will only delay the processing.

3. **Approval of Application.** Upon approval of an application, the NFA Branch will affix the NFA tax stamp (*if any*) to the application, cancel it, and return the approved copy to the maker. The approval of the application effectuates registration of the firearm to the maker; however, the firearm must not be made until the application has been approved.

4. **Withdrawal of Application.** The application may be withdrawn prior to approval by submission of a written request from the maker. The NFA Branch will arrange for a refund of any tax paid.

5. **Cancellation of Approved Application.** An approved application may be cancelled only if the firearms had not been made or modified. The maker must return the approved application with a written request for cancellation, citing the need and that the making of the firearm did not take place. The NFA Branch will arrange for a refund of any tax paid.

6. **Disapproval of Application.** If the application is disapproved, the NFA Branch will note the reason for disapproval on the application and return one copy to the maker. The NFA Branch will arrange for a refund of any tax paid.

7. **Reasons for Disapproval.** 26 U.S.C. § 5822 provides that applications shall be denied if the making or possession of the firearm would place the maker in violation of law.

a. **State or Local Law.** If State or local law prohibits the making or possession of the firearm being made, the application will be disapproved.

b. Machineguns.

(1) 18 U.S.C. § 922(o) provides that machineguns may be made only for government use or export. An application will be denied unless the making meets these criteria.

c. **Persons Prohibited from Making a Firearm.** The application will be disapproved if the maker is a person prohibited from possessing a firearm by 18 U.S.C. § 922(g), which provides that it shall be unlawful for any person-

- (1) who has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year;
- (2) who is a fugitive from justice;
- (3) who is an unlawful user of or addicted to any controlled substance;
- (4) who has been adjudicated as a mental defective or who has been committed to a mental institution;
- (5) who, being an alien, is illegally or unlawfully in the United States or, except as provided in 18 U.S.C. § 922(y)(2), has been admitted to the United States under a nonimmigrant visa (as that term is defined in 8 U.S.C. § 1101(a)(26);
- (6) who has been discharged from the Armed Forces under dishonorable conditions;
- (7) who, having been a citizen of the United States, has renounced his citizenship;
- (8) who is subject to a court order that -
 - (A) was issued after a hearing of which such person received actual notice; and at which such person had an opportunity to participate;
 - (B) restrains such person from harassing, stalking or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and
 - (C) (I) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or (II) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury, or
- (9) who has been convicted in any court of a misdemeanor crime of domestic violence, to ship or transport in interstate or foreign commerce, or possess in or affecting commerce, any firearm or ammunition; or to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.

8. **Status Inquiries and Questions.** The NFA Branch telephone number is (304) 616-4500. Any inquiry relating to the status of an application to make an NFA firearm or about procedures in general should be directed to the NFA. Please be aware that the information relating to the registration of firearms is defined as "return" or "return information" by 26 U.S.C. § 6103 and disclosure is generally prohibited to anyone other than the registrant. Information relating to the NFA and other firearms laws is also available at the ATF Internet website www.atf.gov.

9. **Penalties.** Any person who violates or fails to comply with any of the requirements of the NFA shall, upon conviction, be fined not more than \$10,000 or be imprisoned for not more than 10 years, or both. Any firearm involved in a violation of the NFA shall be subject to seizure and forfeiture. It is unlawful for any person to make or cause the making of a false entry on any application or record required by the NFA knowing such entry to be false.

10. **Compliance with the Gun Control Act.** All provisions of the GCA must also be complied with.

Privacy Act Information

1. **Authority.** Solicitation of this information is made pursuant to the National Firearms Act (26 U.S.C. §§ 5821 and 5822). Disclosure of this information by the applicant is mandatory for any person (other than a manufacturer qualified under the National Firearms Act) making a firearm as defined in the National Firearms Act.
2. **Purpose.** To verify payment of the tax imposed by 26 U.S.C. § 5821; to determine that the making would not be in violation of law; and to effect registration of the firearm.
3. **Routine Uses.** The information will be used by ATF to make the determinations set forth in paragraph 2. In addition, to effect registration of the firearm, information as to the identification of the firearm, date of registration, and the identification and address of person entitled to possess the firearm will be entered into the National Firearms Registration and Transfer Record. No information obtained from an application, registration, or records required to be submitted by a natural person in order to comply with any provision of the National Firearms Act or regulations issued thereunder, shall, except in connection with prosecution or other action for furnishing false information, be used, directly or indirectly, as evidence against that person in any criminal proceeding with respect to a violation of law occurring prior to or concurrently with the filing of the application. The information from this application may only be disclosed to Federal authorities for purpose of prosecution for violation of the National Firearms Act.
4. **Effects of not Supplying Information Requested.** Failure to supply complete information will delay processing and may cause denial of the application.

Paperwork Reduction Act Notice

This form is in accordance with the Paperwork Reduction Act of 1995. The information you provide is used to establish that a transferee's receipt and possession of the firearm would be in conformance with Federal, State, and local law. The data is used as proof of lawful registration of a firearm to the manufacturer. The furnishing of this information is mandatory (26 U.S.C. § 5822).

The estimated average burden associated with this collection of information 4 hours per respondent or recordkeeper, depending on individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be addressed to Reports Management Officer, Document Services Branch, Bureau of Alcohol, Tobacco, Firearms and Explosives, Washington DC 20226.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Application for Tax Paid Transfer and Registration of Firearm

ATF Control Number		Submit in Duplicate to: National Firearms Act Branch Bureau of Alcohol, Tobacco, Firearms and Explosives, P.O. Box 530298 Atlanta, GA 30353-0298	
2a. Transferee's Name and Address (Including tradename, if any) (See instruction 2)		1. Type of Transfer (Check one) <input type="checkbox"/> \$5 <input type="checkbox"/> \$200 Submit with your application a check or money order for the appropriate amount made payable to the Bureau of Alcohol, Tobacco, Firearms and Explosives. Upon approval of this application, this office will acquire, affix and cancel the required "National Firearms Act" stamp for you. (See instructions 2h, 2i and 3.)	
2b. County			
3a. Transferor's Name and Address (Including trade name, if any) (Executors: see instruction 2k)		3d. Number, Street, City, State and Zip Code of Residence (or Firearms Business Premises) if Different from Item 3a.	
3b. Transferor's Telephone Number and Area Code			
3c. If Applicable: Decedent's Name, Address, and Date of Death			

The above-named and undersigned transferor hereby makes application as required by Section 5812 of the National Firearms Act to transfer and register the firearm described below to the transferee.

4. Description of Firearm (Complete items a through h)			d. Model		
a. Name and Address of Manufacturer and/or Importer of Firearm	b. Type of Firearm (See instruction 1c)	c. Caliber, Gauge or Size (Specify)	Length (Inches)	e. Of Barrel:	f. Overall:
			g. Serial Number		
h. Additional Description or Data Appearing on Firearm (Attach additional sheet if necessary)					

5. Transferee's Federal Firearms License (If any) (Give complete 15-digit number) (See instruction 2b)				6. Transferee's Special (Occupational) Tax Status (If any)	
First 6 digits	2 digits	2 digits	5 digits	a. Employer Identification Number	b. Class
7. Transferor's Federal Firearms License (If any) (Give complete 15-digit number) (See instruction 2b)				8. Transferor's Special (Occupational) Tax Status (If any)	
First 6 digits	2 digits	2 digits	5 digits	a. Employer Identification Number	b. Class

Under Penalties of Perjury, I Declare that I have examined this application, and to the best of my knowledge and belief it is true, correct and complete, and that the transfer of the described firearm to the transferee and receipt and possession of it by the transferee are not prohibited by the provisions of Chapter 44, Title 18, United States Code; Chapter 53, Title 26, United States Code; or Title VII of the Omnibus Crime Control and Safe Streets Act, as amended; or any provisions of State or local law.

9. Consent to Disclosure of Information to Transferee (See instruction 8). I Do or Do Not (Circle one) Authorize ATF to Provide Information Relating to this Application to the Above-Named Transferee.		
10. Signature of Transferor (or authorized official)	11. Name and Title of Authorized Official (Print or type)	12. Date

The Space Below is for the use of the Bureau of Alcohol, Tobacco, Firearms and Explosives

By authority of the Director, This Application has been Examined, and the Transfer and Registration of the Firearm Described herein and the Interstate Movement of that Firearm, when Applicable, to the Transferee are:		Stamp Denomination
<input type="checkbox"/> Approved (with the following conditions, if any)	<input type="checkbox"/> Disapproved (For the following reasons)	
Signature of Authorized ATF Official		Date

Transferee Information

The following questions must be answered by any transferee who is **not** a Federal firearms licensee or government agency. The transferee shall give full details on a separate sheet for all "YES" answers. (See instruction 2d)

13. Are You:	Yes	No	14. Have You:	Yes	No
a. Charged by information or under indictment in any court for a crime punishable by imprisonment for a term exceeding one year?			a. Been convicted in any court of a crime for which the judge could have imprisoned you for more than one year, even if the judge actually gave you a shorter sentence?		
b. A fugitive from justice?			b. Been discharged from the armed forces under dishonorable conditions?		
c. An alien who is illegally or unlawfully in the United States?			c. Been adjudicated mentally defective or been committed to a mental institution?		
d. Under 21 years of age?			d. Renounced your United States citizenship?		
e. An unlawful user of or addicted to, marijuana, or any depressant, stimulant, or narcotic drug, or any other controlled substance?			e. Been convicted in any court of a misdemeanor crime of domestic violence? This includes any misdemeanor conviction involving the use or attempted use of physical force committed by a current or former spouse, parent, or guardian of the victim, or by a person with a similar relationship with the victim.		
f. Subject to a court order restraining you from harassing, stalking or threatening an intimate partner or child of such partner?					

15. Transferee's Certification (See instruction 2e)

I, _____, have a reasonable necessity to
(Name of Transferee)
possess the machinegun, short-barreled rifle, short-barreled shotgun, or destructive device described on this application for the following reason(s) _____

and my possession of the device or weapon would be consistent with public safety (18 U.S.C. 922(b) (4) and 27 CFR 478.98).

UNDER PENALTIES OF PERJURY, I declare that I have examined this application and the documents submitted in support thereof, and to the best of my knowledge and belief it is true, correct and complete.

(Signature of Transferee)

(Date)

16. Photograph

Affix
Recent Photograph Here
(Approximately 2" x 2")
(See instruction 2f.)

17. Law Enforcement Certification (See instruction 2e)

I certify that I am the chief law enforcement officer of the organization named below having jurisdiction in the area of residence of

_____. I have no information indicating that the transferee will use the firearm or device
(Name of Transferee)

described on this application for other than lawful purposes. I have no information that the receipt or possession of the firearm or device described in item 4 would place the transferee in violation of State or local law.

(Signature and Title of Chief Law Enforcement Officer)

(Date)

(Organization and Street Address)

(County)

(Telephone Number)

Important Information for Currently Registered Firearms

If this registration document evidences the current registration of the firearm described on it, please note the following information.

Estate Procedures: For procedures regarding the transfer of firearms in an estate resulting from the death of the registrant identified in item 2a, the executor should contact the NFA Branch, Bureau of Alcohol, Tobacco, Firearms and Explosives, 244 Needy Road, Martinsburg, WV 25401.

Change of Address: Unless currently licensed under the Gun Control Act, the registrant shall notify the NFA Branch, Bureau of Alcohol, Tobacco, Firearms and Explosives, 244 Needy Road, Martinsburg, WV 25401, in writing, of any change to the address in Item 2a.

Change of Description: The registrant shall notify the NFA Branch, Bureau of Alcohol, Tobacco, Firearms and Explosives, 244 Needy Road, Martinsburg, WV 25401, in writing, of any change to the description of the firearm in Item 4.

Interstate Movement: If the firearm identified in item 4 is a machinegun, short-barreled rifle, short-barreled shotgun, or destructive device, the registrant may be required by 18 U.S.C. § 922(a)(4) to obtain permission from ATF prior to any transportation in interstate or foreign commerce.

Restrictions on Possession: Any restriction (see approval block on face of form) on the possession of the firearm identified in item 4 continues with the further transfer of the firearm.

Persons Prohibited from Possessing Firearms: If the registrant becomes prohibited by 18 U.S.C. § 922 from possessing a firearm, the registrant shall notify the NFA Branch, Bureau of Alcohol, Tobacco, Firearms and Explosives, 244 Needy Road, Martinsburg, WV 25401, in writing, immediately upon becoming prohibited for guidance on the disposal of the firearm.

Proof of Registration: This approved application is the registrant's proof of registration and it shall be made available to any ATF officer upon request.

1. Definitions

- a. **National Firearms Act (NFA).** Title 26, United States Code, Chapter 53. The implementing regulations are found in Title 27, Code of Federal Regulations, Part 479.
- b. **Gun Control Act (GCA).** Title 18, United States Code, Chapter 44. The implementing regulations are found in Title 27, Code of Federal Regulations, Part 478.
- c. **Firearm.** The term "firearm" means: (1) a shotgun having a barrel or barrels of less than 18 inches in length; (2) a weapon made from a shotgun if such weapon as modified has an overall length of less than 26 inches or a barrel or barrels of less than 18 inches in length; (3) a rifle having a barrel or barrels of less than 16 inches in length; (4) a weapon made from a rifle if such weapon as modified has an overall length of less than 26 inches or a barrel or barrels of less than 16 inches in length; (5) any other weapon as defined in 18 U.S.C. § 5845(e); (6) a machinegun; (7) a muffler or silencer for any firearm whether or not such firearm is included within this definition; and (8) a destructive device.
- d. **Person.** The term "person" means a partnership, company, association, trust, estate, or corporation, as well as a natural person.
- e. **Employer Identification Number (EIN).** Required of taxpayer filing special (occupational) tax returns under 27 CFR § 479.35.
- f. **SPECIAL (OCCUPATIONAL) TAX.** Required by the NFA to be paid by a Federal firearms licensee engaged in the business of manufacturing (Class 2), importing (Class 1), or dealing (Class 3) in NFA firearms.
- g. **Federal Firearms License.** A license issued under the provisions of the GCA to manufacture, import or deal in firearms.
- h. **ATF Officer.** An officer or employee of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) authorized to perform any function relating to the administration of the NFA.
- i. **Transfer.** Selling, assigning, pledging, leasing, loaning, giving away, or otherwise disposing of a firearm.
- j. **Transferor.** The registered owner of a firearm who is applying to transfer it.
- k. **Transferee.** The person acquiring the firearm.
- l. **Misdemeanor Crime of Domestic Violence.** A crime that is a misdemeanor under Federal or State law and has, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, parent, or guardian. The term includes all misdemeanors that involve the use or attempted use of physical force (e.g., *simple assault, assault and battery*), if the offense is committed by one of the defined parties. The person is NOT considered to have been convicted of such crime unless the person was represented by a lawyer or gave up the right to a lawyer, and, if the person was entitled to a jury trial, was tried by a jury or gave up the right to a jury trial.

2. Preparation of Application

- a. **Authority.** As provided by 26 U.S.C. §§ 5811 and 5812, any person seeking to transfer a firearm tax paid must complete, in duplicate, an application on this form for each firearm. The transferor must furnish all the information called for on this application form.
- b. **Federal Firearms Licensees.** If the transferor or transferee is licensed under the GCA, the name, trade name (if any), and address shall be identified on the ATF Form 4 as they appear on the license. If item 6 is completed, the entity identified must be the same as the entity identified in item 5. For example, **if item 5 identified a sole proprietor, item 6 cannot identify a corporation.** This also applies for the completion of items 7 and 8.
- c. **Transferee Qualifications.** If the transferee is an individual and not licensed under the GCA, the questions in items 13 and 14 must be answered.

d. Transferee Certification. Item 15 must be completed by the transferee if:

- (1) the firearm to be transferred is a machinegun, short-barreled rifle, short-barreled shotgun, or destructive device;
- (2) the transferor is licensed under the GCA to deal in such device or firearm; and
- (3) the transferee is not licensed under the GCA to deal in such device or firearm.

e. **Law Enforcement Certification.** Item 17 must be completed for an individual transferee, unless the transferee is licensed as a manufacturer, importer, or dealer under the GCA and is a special (*occupational*) taxpayer under the NFA at the time of the submission of the application for transfer. The chief law enforcement officer is considered to be the Chief of Police for the transferee's city or town of residence; the Sheriff for the transferee's county of residence; the Head of the State Police for the transferee's State of residence; a State or local district attorney or prosecutor having jurisdiction in the transferee's area of residence; or another person whose certification is acceptable to the Director, Bureau of Alcohol, Tobacco, Firearms and Explosives. If someone has specific delegated authority to sign on behalf of the Chief of Police, Sheriff, etc., this fact must be noted by printing the Chief's, Sheriff's, or other authorized official's name and title, followed by the word "by" and the full signature and title of the delegated person. The certificate must be dated no more than one year prior to the date of receipt of the application.

f. **Photographs and Fingerprints.** An individual transferee, except if licensed as a manufacturer, importer, or dealer under the GCA, must (1) attach to item 16, a 2 inch x 2 inch photograph of the frontal view of the transferee taken within 1 year prior to the date of the application and (2) attach two properly completed FBI Forms FD-258 (*Fingerprint Card with blue lines*) to the application. The fingerprints must be clear for accurate classification and taken by someone properly equipped to take them.

g. **Signatures.** All signatures required on ATF Form 4 must be original in ink on both copies.

h. **Remittance.** A check or money order, made payable to the Bureau of Alcohol, Tobacco, Firearms and Explosives, in the amount for the appropriate rate of tax (*see instruction 2i*) must be submitted with the ATF Form 4. Do not send cash.

i. **Rate of Tax.** The tax on the transfer of any NFA firearm is \$200.00, except that the tax is \$5.00 on the transfer of a firearm classified as "any other weapon."

j. **Photocopies, Computer Generated Versions, or Downloaded Version from ATF Website.** The ATF Form 4 may be photocopied, computer-generated (*as long as it is in the same format and contains all required information*), or downloaded from the ATF website (www.atf.gov). Please note the instructions on the website.

k. **Estates.** If the firearm is being transferred from an estate, item 3a shall reflect: the executor's name, title (*executor (or executrix, administrator, administratrix)* of the estate of (name)), and the executor's address. Item 3c shall reflect the address of the decedent and the date of death. (*see the ATF Internet website at www.atf.gov for additional information about transfers from estates.*)

l. **Submission.** All requested information must be entered in blue or black ink and must be legible. Send both copies of the ATF Form 4 and attachments to the address located in the upper right hand corner on the face side of the ATF Form 4. The return of the application or sending it to any other address will only delay the processing.

m. **State or Local Permit.** If a State or local permit or license is required for the transferee prior to acquisition of the firearm, a copy of the permit must be included with the application.

3. **Approval of Application.** Upon approval of an application, the NFA Branch will affix the appropriate NFA transfer tax stamp, cancel it, and return the approved copy with the stamp affixed to the transferor for delivery with the firearm to the transferee. Since the approval of the application effectuates registration of the firearm to the transferee, the physical transfer of the firearm must be completed immediately; however, the transferor must not transfer the

firearm until the application has been approved and received. If the physical transfer of the firearm cannot be completed immediately, the transferor must contact the NFA Branch with the specifics.

4. **Withdrawal of Application.** The transferor may withdraw an application prior to approval subsequent to a written request. The NFA Branch will arrange for a refund of the tax paid.
5. **Cancellation of Approved Application.** The transferor may cancel an approved application only if the physical transfer of the firearm has not been completed. The transferor must return the approved application with the tax stamp affixed with a written request for cancellation, citing the need and that the physical transfer of the firearm did not take place. The NFA Branch will arrange for a refund of the tax paid.
6. **Disapproval of Application.** If the application is disapproved, the NFA Branch will note the reason for disapproval on the application and return one copy of the ATF Form 4 to the transferor. The NFA Branch will arrange for a refund of the tax paid.
7. **Reasons for Disapproval.** 26 U.S.C. § 5812 provides that applications shall be denied if the transfer, receipt, or possession of the firearm would place the transferee in violation of law.
 - a. **State or Local Law.** If State or local law prohibits the receipt or possession of the firearm being transferred, the application will be disapproved.
 - b. **Persons Prohibited from Receiving a Firearm.** The application will be disapproved if the transferee is a person prohibited from receiving a firearm by 18 U.S.C. § 922(g), which provides that it shall be unlawful for any person—
 - (1) who has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year;
 - (2) who is a fugitive from justice;
 - (3) who is an unlawful user of or addicted to any controlled substance;
 - (4) who has been adjudicated as a mental defective or who has been committed to a mental institution;
 - (5) who, being an alien, is illegally or unlawfully in the United States or except as provided in 18 U.S.C. 922(y)(2), has been admitted to the United States under a non-immigrant visa (*as that term is defined in 8 U.S.C. 1101(a)(26)*);
 - (6) who has been discharged from the Armed Forces under dishonorable conditions;
 - (7) who, having been a citizen of the United States, has renounced his citizenship;

(8) who is subject to a court order that—

- (A) was issued after a hearing of which such person received actual notice, and at which such person had an opportunity to participate;
- (B) restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and
- (C) (I) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or (II) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury, or

(9) who has been convicted in any court of a crime of domestic violence; to ship or transport in interstate or foreign commerce, or possess in or affecting commerce, any firearm or ammunition; or to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.

8. **Status Inquiries and Questions.** Information relating to the NFA and other firearms laws is available at the ATF Internet website at www.atf.gov. Any inquiry relating to the status of an application to transfer an NFA firearm or about procedures in general should be directed to the NFA Branch at (304) 616-4500. Please be aware that any dissemination by ATF of information relating to the application to register an NFA firearm must conform with the restrictions in 26 U.S.C. § 6103. The opportunity provided in item 8 to authorize ATF to disclose information is intended to enable ATF to respond to inquiries by the transferee regarding the application. The failure to complete item 8 will be considered a declination of authorization to release the information.
9. **Penalties.** Any person who violates or fails to comply with any of the requirements of the NFA shall, upon conviction, be fined not more than \$10,000 or be imprisoned for not more than 10 years, or both. Any firearm involved in a violation of the NFA shall be subject to seizure and forfeiture. It is unlawful for any person to make or cause the making of a false entry on any application or record required by the NFA knowing such entry to be false.
10. **Compliance with the Gun Control Act.** All provisions of the GCA must also be complied with, including the recordkeeping requirements for licensees and the retention of ATF Form 4473 (5300.9) by licensees for dispositions to non-licensees.

Privacy Act Information

The following information is provided pursuant to Section 3 of the Privacy Act of 1974 (5 U.S.C. § 552(e)(3)):

1. **Authority.** Solicitation of this information is made pursuant to the National Firearms Act (26 U.S.C. § 5812). Disclosure of this information by the applicant is mandatory for transfer of an NFA firearm, unless the transfer is otherwise exempt from tax.
2. **Purpose.** To insure payment of the tax imposed by 26 U.S.C. § 5811; to insure that the transfer would not be in violation of law; and to effect registration of the firearm.
3. **Routine Uses.** The information will be used by ATF to make the determinations set forth in paragraph 2. In addition, to effect registration of the firearm, information as to the identification of the firearm, date of registration, and the identification and address of person entitled to possess the firearm will be entered into the National Firearms Registration and Transfer Record. No information obtained from an application, registration, or records required to be submitted by a natural person in order to comply with any provision of the National Firearms Act or regulations issued thereunder, shall, except in connection with prosecution or other action for furnishing false information, be used, directly or indirectly, as evidence against that person in any criminal proceeding with respect to a violation of law occurring prior to or concurrently with the filing of the application. The information from this application may only be disclosed to Federal authorities for purposes of prosecution for violation of the National Firearms Act.
4. **Effects of not Supplying Information Requested.** Failure to supply complete information will delay processing and may cause denial of the application.

Paperwork Reduction Act Notice

This information request is in accordance with the Paperwork Reduction Act of 1995. The information you provide is used in applying to transfer serviceable firearms taxpaid to persons other than special taxpayers qualified to deal in NFA firearms or government entities. Data is used to identify transferor, transferee, and firearm, and to ensure legality for transfer under Federal, State and local laws. The furnishing of this information is mandatory. (26 U.S.C. § 5812)

The estimated average burden associated with this collection of information is 4 hour(s) per respondent or recordkeeper, depending on individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be addressed to Reports Management Officer, Document Services Branch, Bureau of Alcohol, Tobacco, Firearms and Explosives, Washington, DC 20226.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

APPLICANT

LEAVE BLANK

TYPE OR PRINT ALL INFORMATION IN BLACK
 LAST NAME NAM FIRST NAME MIDDLE NAME

FBI LEAVE BLANK

SIGNATURE OF PERSON FINGERPRINTED

ALIASES AKA

O
R
I

0C000000Z
CJIS-WV-SCU-DZ
CLARKSBURG, WV

RESIDENCE OF PERSON FINGERPRINTED

DATE OF BIRTH DOB
 Month Day Year

CITIZENSHIP CTZ

SEX

RACE

HGT

WGT

EYES

HAIR

PLACE OF BIRTH POB

DATE SIGNATURE OF OFFICIAL TAKING FINGERPRINTS

YOUR NO. OCA

LEAVE BLANK

EMPLOYER AND ADDRESS

FBI NO. FBI

ARMED FORCES NO. MNU

CLASS

REASON FINGERPRINTED

SOCIAL SECURITY NO. SOC

REF.

MISCELLANEOUS NO. MNU

1. R. THUMB

2. R. INDEX

3. R. MIDDLE

4. R. RING

5. R. LITTLE

6. L. THUMB

7. L. INDEX

8. L. MIDDLE

9. L. RING

10. L. LITTLE

LEFT FOUR FINGERS TAKEN SIMULTANEOUSLY

L. THUMB

R. THUMB

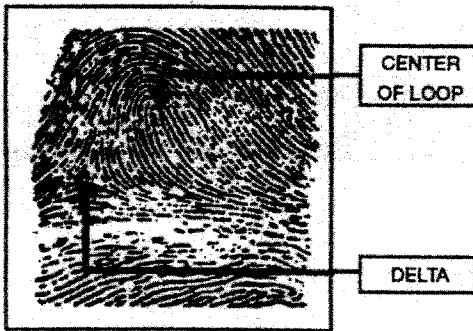
RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY

The FBI Criminal Justice Information Services Division will accept the downloaded paper fingerprint card only for the purposes of requesting an FBI Identification Record through Departmental Order 556-73. If you go to a law enforcement agency or private fingerprinting agency to be fingerprinted, they may prefer to use a fingerprint card on standard card stock. You may use the fingerprint card provided by the fingerprinting agency.

**FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE
CJIS DIVISION/CLARKSBURG, WV 26306**

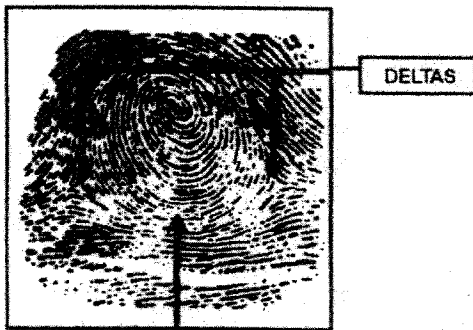
APPLICANT

1. LOOP



THE LINES BETWEEN CENTER OF
LOOP AND DELTA MUST SHOW

2. WHORL



THESE LINES RUNNING BETWEEN
DELTAS MUST BE CLEAR

3. ARCH



ARCHES HAVE NO DELTAS

TO OBTAIN CLASSIFIABLE FINGERPRINTS:

1. USE BLACK PRINTER'S INK.
2. DISTRIBUTE INK EVENLY ON INKING SLAB.
3. WASH AND DRY FINGERS THOROUGHLY.
4. ROLL FINGERS FROM NAIL TO NAIL, AND AVOID ALLOWING FINGERS TO SLIP.
5. BE SURE IMPRESSIONS ARE RECORDED IN CORRECT ORDER.
6. NOTATE IN THE APPROPRIATE FINGER BLOCKS IF APPLICANT IS MISSING ONE OR MORE FINGERS FOR ANY REASON. IF NOT MISSING, ALL TEN IMPRESSIONS MUST BE PROVIDED WITH SCARS AND DEFORMITIES NOTATED.
7. IF SOME PHYSICAL CONDITION MAKES IT IMPOSSIBLE TO OBTAIN PERFECT IMPRESSIONS, SUBMIT THE BEST THAT CAN BE OBTAINED.
8. EXAMINE THE COMPLETED PRINTS TO SEE IF THEY CAN BE CLASSIFIED, BEARING IN MIND THAT MOST FINGERPRINTS FALL INTO THE PATTERNS SHOWN ON THIS CARD (OTHER PATTERNS OCCUR INFREQUENTLY AND ARE NOT SHOWN HERE).

THIS CARD FOR USE BY:

1. LAW ENFORCEMENT AGENCIES IN FINGERPRINTING APPLICANTS FOR LAW ENFORCEMENT POSITIONS*
2. OFFICIALS OF STATE AND LOCAL GOVERNMENTS FOR PURPOSES OF EMPLOYMENT, LICENSING, AND PERMITS, AS AUTHORIZED BY STATE STATUTES AND APPROVED BY THE ATTORNEY GENERAL OF THE UNITED STATES. LOCAL AND COUNTY ORDINANCES, UNLESS SPECIFICALLY BASED ON APPLICABLE STATE STATUTES DO NOT SATISFY THIS REQUIREMENT.*
3. U.S. GOVERNMENT AGENCIES AND OTHER ENTITIES REQUIRED BY FEDERAL LAW.**
4. OFFICIALS OF FEDERALLY CHARTERED OR INSURED BANKING INSTITUTIONS TO PROMOTE OR MAINTAIN THE SECURITY OF THOSE INSTITUTIONS.

LEAVE THIS SPACE BLANK

INSTRUCTIONS:

- * 1. PRINTS MUST FIRST BE CHECKED THROUGH THE APPROPRIATE STATE IDENTIFICATION BUREAU, AND ONLY THOSE FINGERPRINTS FOR WHICH NO DISQUALIFYING RECORD HAS BEEN FOUND LOCALLY SHOULD BE SUBMITTED FOR FBI SEARCH.
2. PRIVACY ACT OF 1974 (PL. 93-579) REQUIRES THAT FEDERAL STATE, OR LOCAL AGENCIES INFORM INDIVIDUALS WHOSE SOCIAL SECURITY NUMBER IS REQUESTED WHETHER SUCH DISCLOSURE IS MANDATORY OR VOLUNTARY, BASIS OF AUTHORITY FOR SUCH SOLICITATION AND USES WHICH WILL BE MADE OF IT.
- ** 3. IDENTITY OF PRIVATE CONTRACTORS SHOULD BE SHOWN IN SPACE "EMPLOYER AND ADDRESS". THE CONTRIBUTOR IS THE NAME OF THE AGENCY SUBMITTING THE FINGERPRINT CARD TO THE FBI.
4. FBI NUMBER, IF KNOWN, SHOULD ALWAYS BE FURNISHED IN THE APPROPRIATE SPACE.

MISCELLANEOUS NO. (M), RECORD: OTHER ARMED FORCES NO. (OAF), PASSPORT NO. (FP), ALIEN REGISTRATION NO. (AR), PORT SECURITY CARD NO. (PS), SELECTIVE SERVICE NO. (SS) VETERANS' ADMINISTRATION CLAIM NO. (VA).

SUPPRESSORS AND SHOOTING RANGE STRUCTURES

ASEIDEN VAIMENTIMET JA AMPUMARATARAKENTEET

**Ilkka Kyttälä
Rauno Pääkkönen**

Translation by the authors • Tampere 1995

Shooting range and suppressor projects 1992-1993.

Financing: Ministry of Education, Ministry of Environment, Ministry of Labour, Lapua Oy

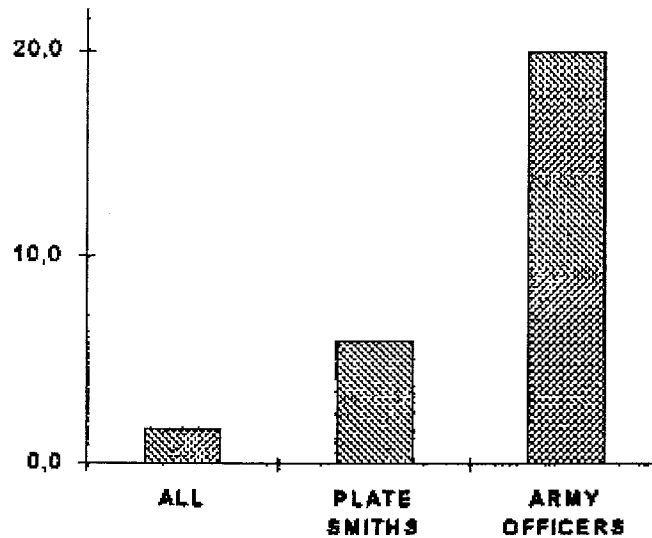
Supervisors: Yrjö Tolonen, Pertti Kärpänen and Risto Järvelä, Ministry of Education; Antero Honkasalo, Ministry of Environment; Seppo Palmu, Ministry of Defence; Ilkka Heikkilä, Defence Materiel Establishment; Esa Puurtinen, Technical Inspection Center, Juha Tikkanen and Ilkka Kiiänlinna, Finnish Shooting Association; Juha Kairikko, Finnish Hunters' Association and Erkki Kiukas Hunters' Central Organization.

Authors: Ilkka Kyttälä, Ministry of Labour; Rauno Pääkkönen, Institute of Occupational Health; Kari Pesonen, Kari Pesonen Consulting Engineering Ltd; Juha Eväsoja and Matti Vähäpassi, Cartridge Factory LAPUA Ltd; Juha Hartikka, BR-Tuote; Kalevi Nurmentaus; Juhani Salo, Asetiimi Ltd; Rauli Lonka; Jorma Santala; P.T. Kekkonen; Seppo Martiskainen and Tarmo Romppanen, Jaakko Seppänen and Veli Oravainen, Kuopio Arms Depot; Seppo Roininen and Salme Marttio, Soil and Water Ltd; Lauri Heikkinen and Lauri Suomalainen, PI-Consulting Ltd; Heikki Tuominen and Juhani Nuotio, Finnish Acoustics Centre Ltd; Juhani Ollila, Institute of Occupational Health. Markku Makkonen, ministry of Labour.

SUPPRESSORS AND SHOOTING RANGE STRUCTURES SUMMARY

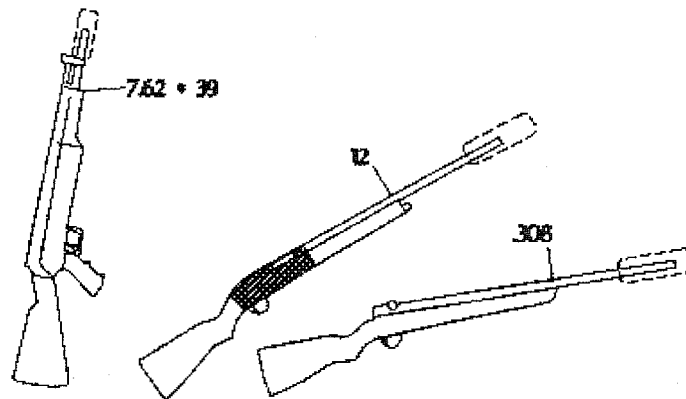
BACKGROUND

NUMBER OF NEW
HEARING INJURIES
PER 1000 EMPLOYEES



In 1992 a joint project was established in Finland to test suppressors of rifle caliber firearms and various shooting range structures against shooting noise. There were several reasons for this, e.g. the adverse effects of shooting ranges on nearby settled areas and the great number of hearing injuries among shooters, supervisors and other people present. Suppressors and better structures seemed to offer further possibilities in saving the shooter's hearing and reducing the area required around the shooting ranges.

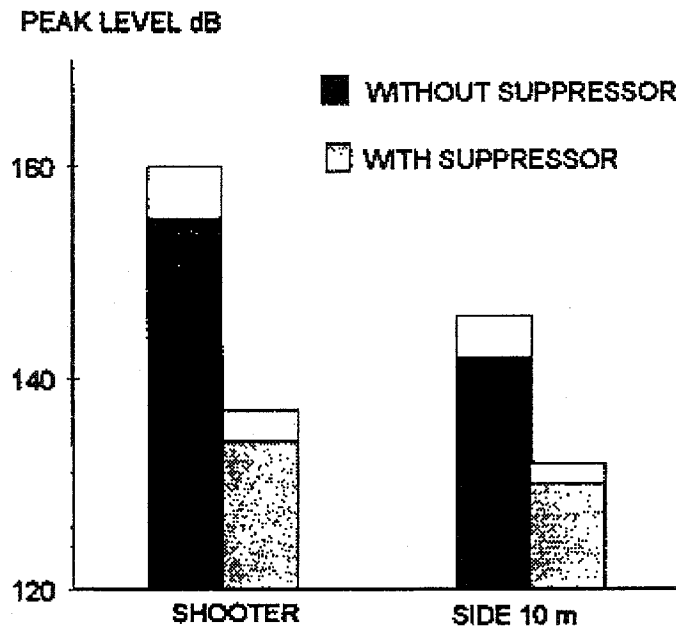
Source: 1988 population counting and 1983 to 1988 statistics of occupational diseases



Comparative measurements were made mainly using cal. 7,62 Kalashnikov-Valmet M62 assault rifles, common .308 caliber hunting rifles and 12 cal. shotguns, with and without suppressors. The purpose was to test the acoustic and other essential properties of the suppressors, bullet noise barriers and other structures and their effects on shooting. After the tests and reports a summary for information purposes was produced, which - after statements - was corrected to get the present form:

MOST IMPORTANT RESULTS AND CONCLUSIONS

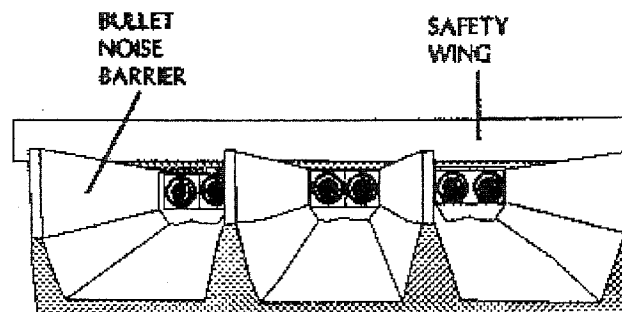
(Only the "new findings")



1a ATTENUATION EFFECT, SUPPRESSORS

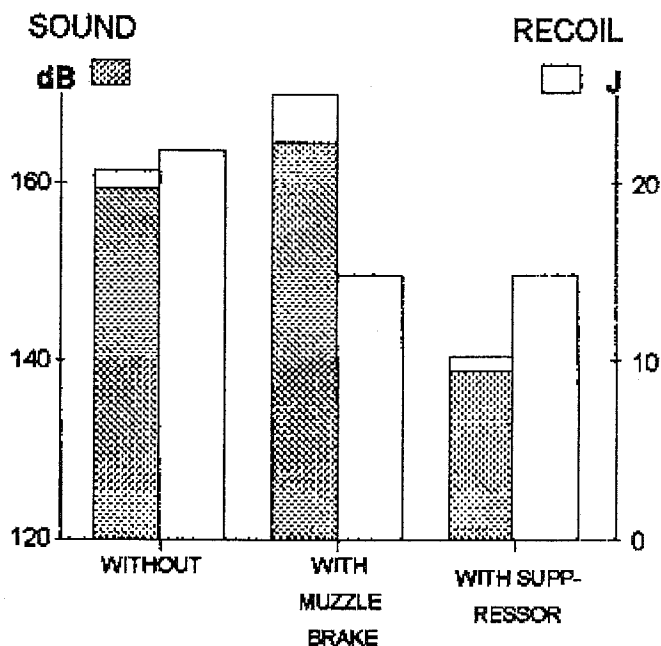
All rifle suppressors reduced the shooter's exposure from the original 160 ± 3 decibels to below the EU risk limit 140 dB. Differences between brands were small. Shotgun suppressor prototypes approached the limit only when used with subsonic cartridges. At the bystander's and trainer's positions noise reduction was similarly effective. Environmental noise attenuates almost as well in back and side sectors. The front sector is dominated by ballistic noise, which is not affected by suppressors. Bullet noise, however, is concentrated in higher frequencies than muzzle blast and thus attenuates faster when propagating.

1) Cal. .22 suppressors were most effective; attenuation more than 30 dB. On hunting rifles the same effect was achieved only with an oversized prototype made by Jorma Santala.



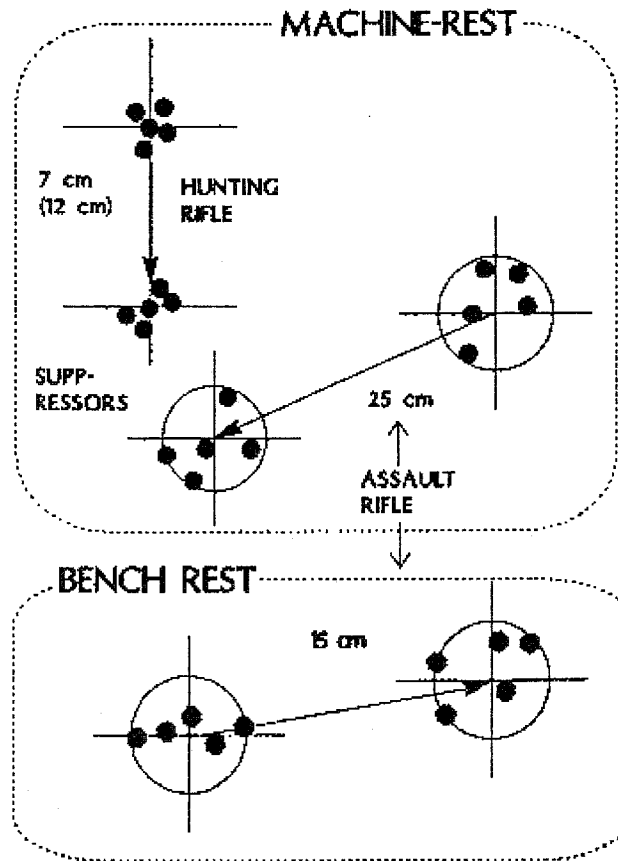
1b ATTENUATION EFFECT, BULLET NOISE EMBANKMENT AND BARRIERS

An obstacle of about 2,5 m - embankment, barrier or combination of them - attenuates the bullet noise by 10 to 20 decibels. The most advantageous results are obtained when the distance of the flight path from the barrier is less than one meter and it goes two meters lower than the top of the barrier; or in other situations where the proportions are similar, e.g. in a canyon. The barriers can support each other by connecting them with overhead safety wings.



2 MUZZLE BRAKES? RECOIL?

All brands of tested muzzle brakes increased the shooter's exposure by 5 to 10 dB. The increase in noise exposure is proportional to the recoil reducing effect of the muzzle brake. Replacing it by even a modest suppressor may thus produce a considerable 20 dB improvement at the shooter's position. This principle is valid for all weapons equipped with muzzle brake. Suppressors reduced recoil energy by 20 to 30 per cent, or about as much as muzzle brakes. They also prevented muzzle climb of assault rifles, firing full-auto bursts or continuous rapid fire.

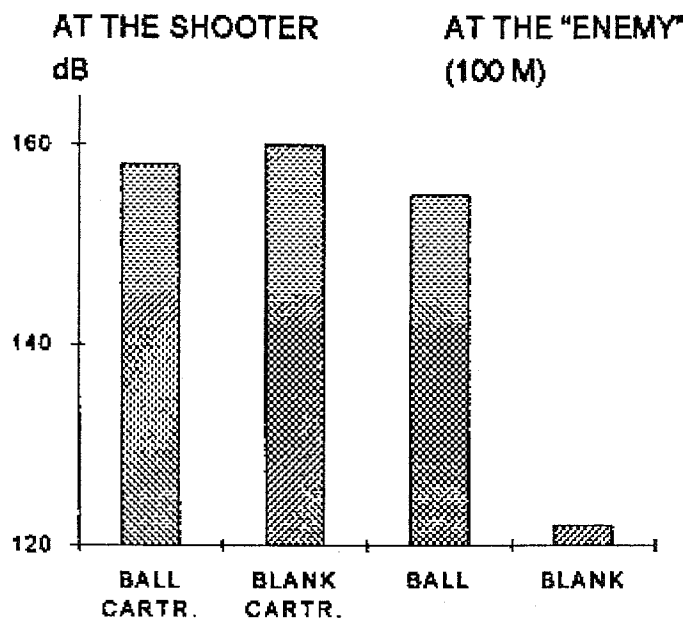


3 ACCURACY?

Suppressors did not have any notable adverse effect on shooting accuracy. The best group diameters of assault rifle hits were achieved with suppressors. The mounting of long extensive suppressors must, however, be done with great skill.

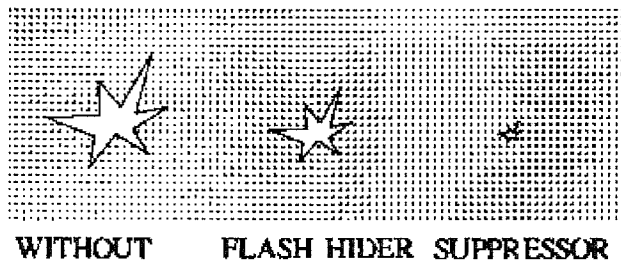
4 SHIFT OF GROUP?

When the suppressor (or equal weight) is mounted on the barrel muzzle, the center of the group of hits of hunting rifles was usually shifted down by about 10 cm (shooting from machine-rest, target at one hundred meters). For assault rifles correspondingly 25 cm left and down, but when shooting from bench rest about 15 cm right. The reason for this shift are changed vibration properties. It is compensated by normal re-adjustment of the sight. When shooting from a machine-rest the vibrations change in a way, which does not represent the real use.



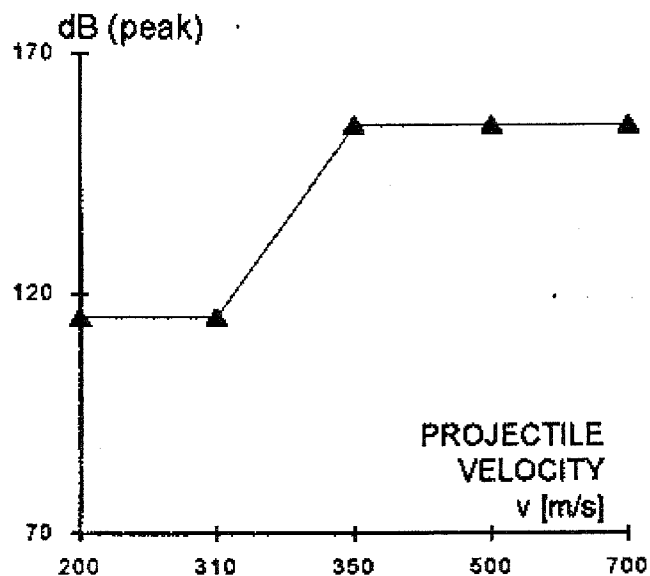
5 BLANK CARTRIDGES?

When shot close, blank cartridges can be louder than bulletted ones and they indeed cause most of the acute hearing damages of conscripts. The simulated gunfire should be achieved with methods 25 dB less loud than at present. The tested suppressor models do not apply for Finnish wood-bulletted military blank cartridges. However, they apply for usual blank cartridges with folded head. Harmless theatre weapons which sound "real" are also available. Shooting indoors with non-suppressed blank cartridges generally means the risk of immediate loss of health.



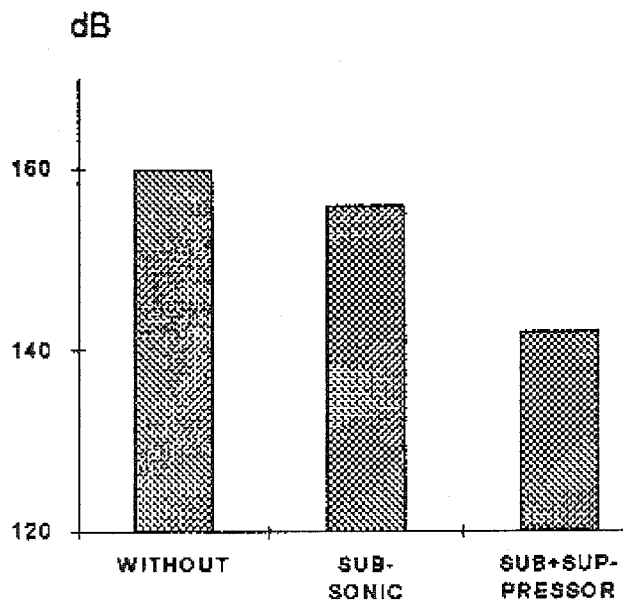
6 MUZZLE FLASH?

Suppressors hide the muzzle flash and effectively prevent the movement of foliage, grass or twigs and puffs of sand or dust.



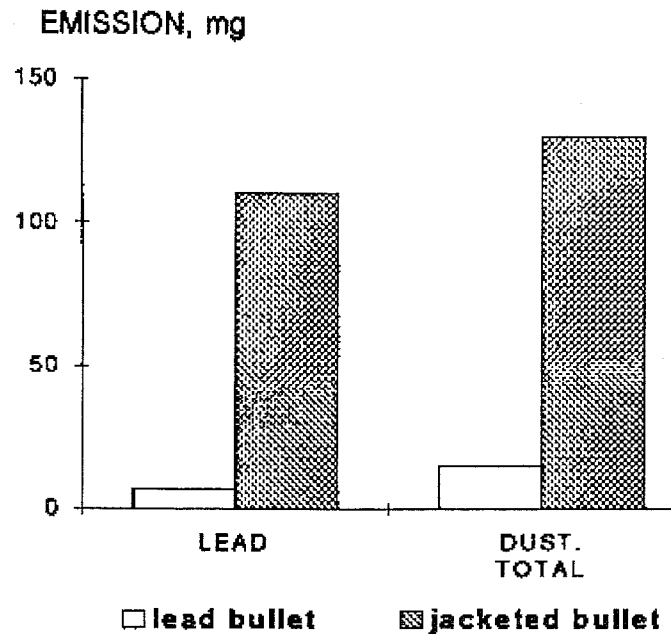
7 BALLISTIC NOISE?

The ballistic "whiplash" noise of a bypassing bullet (around 155 dB at 0,65 meter distance) is an unavoidable environmental problem, if the velocity of the projectile exceeds the velocity of sound in air (from 310 to 350 meters per second depending on the temperature and air pressure). No suppressor can prevent bullet flight noise. The diameter, length and shape of the bullet affect only slightly. The ballistic noise does not affect the shooter's exposure. Ballistic noise concentrates in higher frequencies and thus attenuates, when propagating, faster than the muzzle blast.



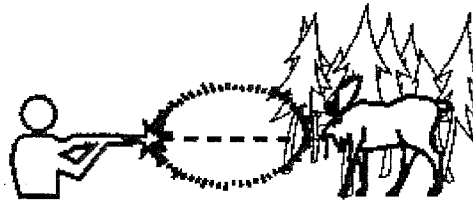
8 BALLISTIC NOISE OF SHOTS?

The ballistic noise of the pellet swarm (and the cup) can be even louder than the muzzle blast. It strongly increases the peak levels in the front sector and slightly to the side and backwards. Good results can be obtained only when using subsonic cartridges (v_0 around 300 m/s). For the two prototypes, peak levels of 142 and 144 dB were measured at the marksman's ear.



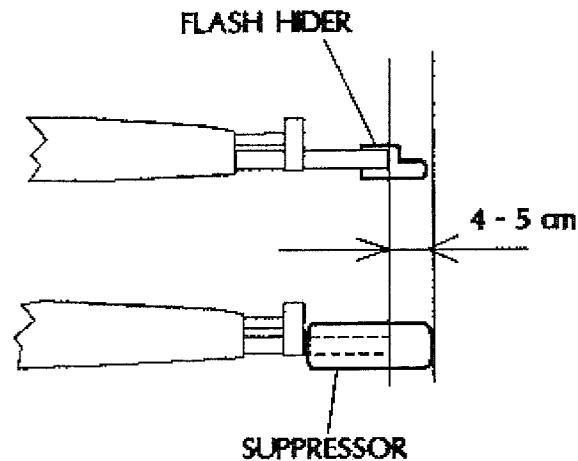
9 LEAD VAPOR EMISSION? UNBURNED POWDER?

Unjacketed bullets produced many times more lead vapor than jacketed ones. Also .22 caliber weapons produce lead vapors. Lead concentration can become a health problem at inside shooting ranges. Suppressors make a part of the lead emission harmless by solidifying it as card. Suppressors also burn a part of the otherwise not burned, sensitized powder that may cause a fire or even explosion risk in insufficiently cleaned indoor shooting ranges (five persons died in this kind of accident in Argenbühl, Germany 1993). On the other hand, it is possible that powder can build up inside a suppressor and cause a risk of explosion (cases not known).



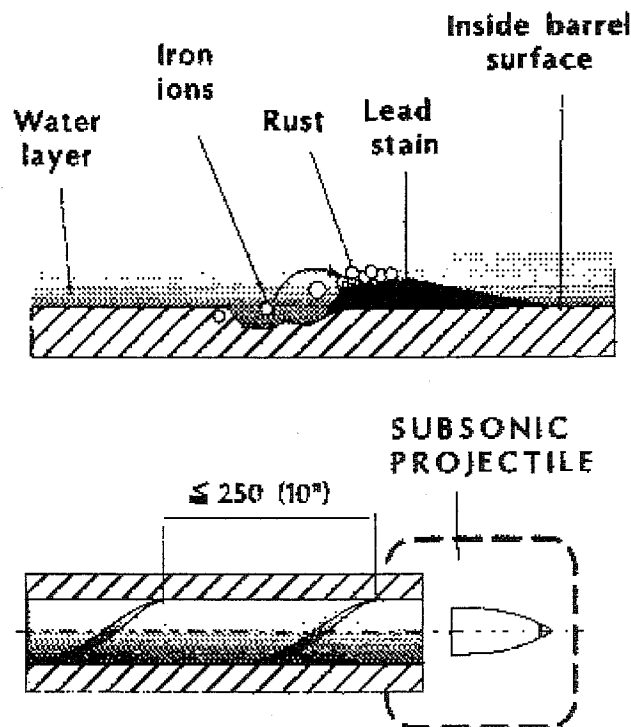
10 POACHING?

Suppressors do not decisively favor poaching or other criminal activity since they do not affect the bullet noise. The bass tuned 130 - 140 dB sound of the suppressed muzzle blast is also heard quite far, yet is not so disturbing. (Complete suppressors only exist in cinema). Because of the prejudice caused by the old hunting legislation, a person who hunts with a suppressed gun may have to carry a copy of the new law (615/93) for a long time.



11 ADDITIONAL LENGTH/WEIGHT?

The new telescoping suppressors increase the length of firearms by only a few centimeters and are not vulnerable even in harsh use. A steel suppressor increases the weight of an assault rifle by approximately 10 per cent (from 3.6 kg to 3.9 kg, for example), or - if it replaces a muzzle brake or a flash hider - only about 5 per cent; aluminum suppressor even less.

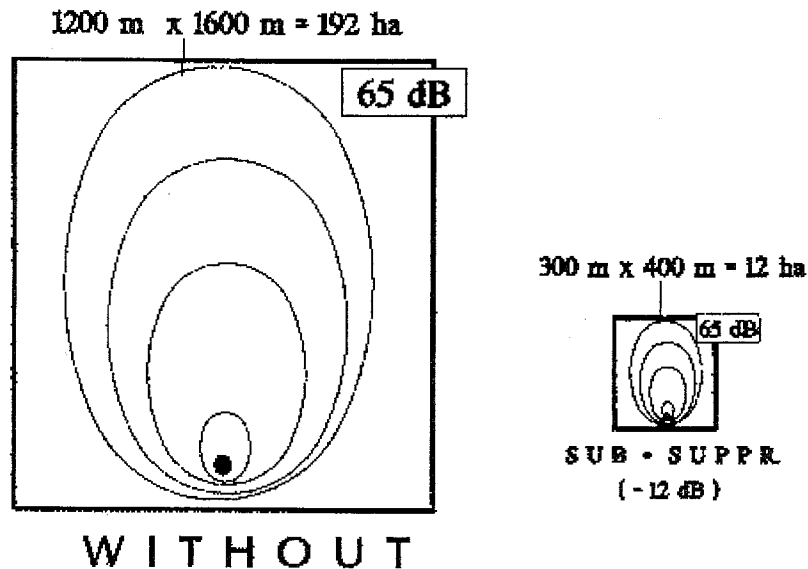


12 DURABILITY? CORROSION? OPERATIONAL CERTAINTY?

Steel suppressors seem to withstand continuous rapid fire, aluminum suppressors only in limited amounts. In automatic weapons the increase in the gate pressure can cause problems in mechanisms. For them further research is needed. The condensed water and lead can cause corrosion in untended weapons: After use the suppressor has to be disconnected and/or the barrel oiled.

To be properly stabilized, long bullets, which are used in subsonic cartridges, need the pitch of rifling to be less than 10 inches (generally 12 "). Instability of the bullet may, at least with long frontally mounted suppressors, cause contact with the suppressor structures, loss of accuracy and/or damage to the suppressor.

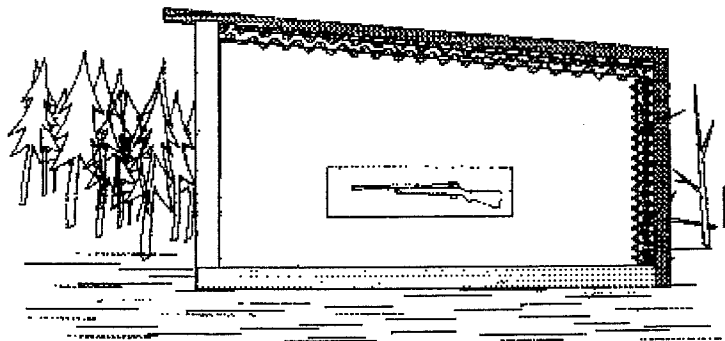
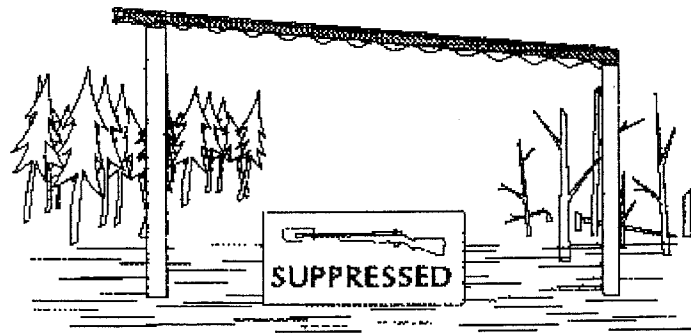
SHOTGUN



13 NEED OF LAND? EMBANKMENT?

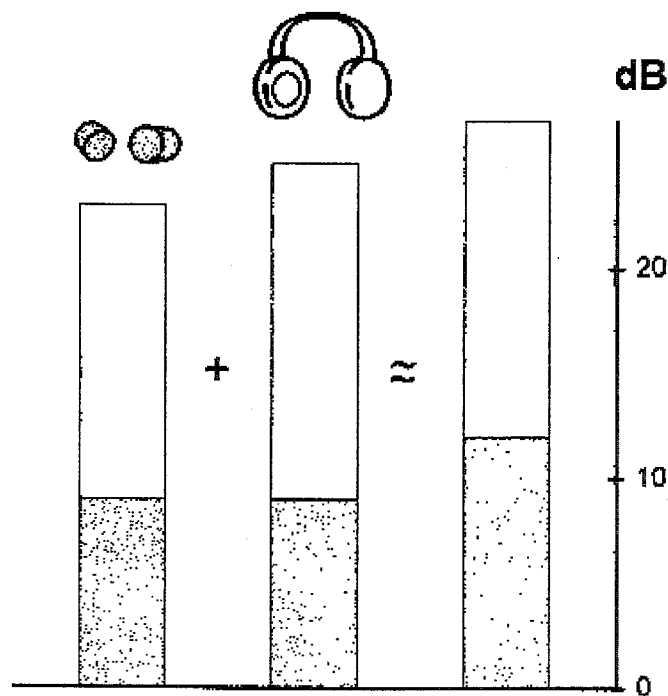
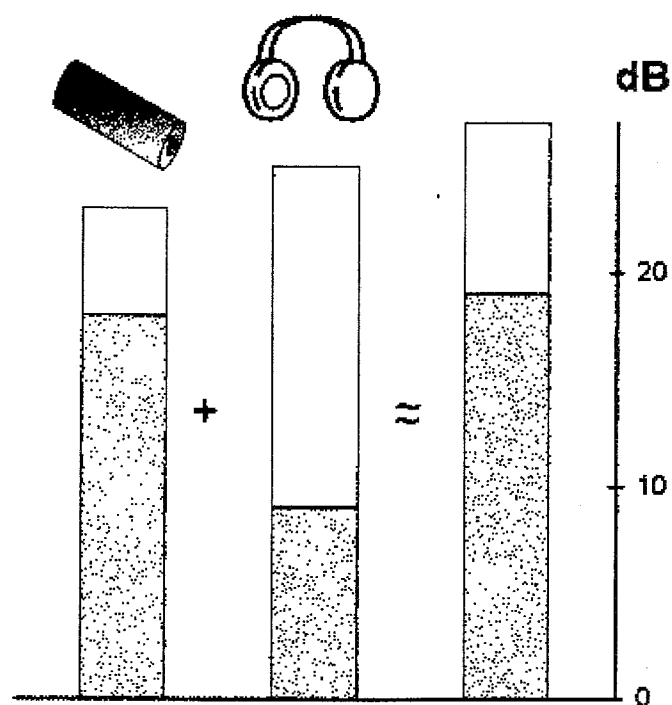
If only suppressed firearms are used (presumed average attenuation 12 dB), the land requirement is reduced to 1/16* or even smaller. This is valid as such at shotgun ranges if only subsonic cartridges are used. On rifle and pistol ranges proper bullet crack embankments and/or barriers may be necessary if natural obstacles do not exist. (Don't place a range on a hill).

* If noise level decreases by 6 dB, distance to the neighbor can be halved.



14 SHOOTING PLACE SHELTERS?

No shooting place constructions are needed when only suppressed weapons are used. If a shed is wanted for other reasons (e.g. against rain), it should have no walls and the ceiling should be lined with sound absorbing material like glass wool. At indoor shooting ranges (and under roofs) only a modest lining is necessary when only suppressed firearms are used. For unsuppressed weapons a thick layer of absorbtives and a solid structure (at least 20 kg/m²) is required, if there are neighbors in the same building.

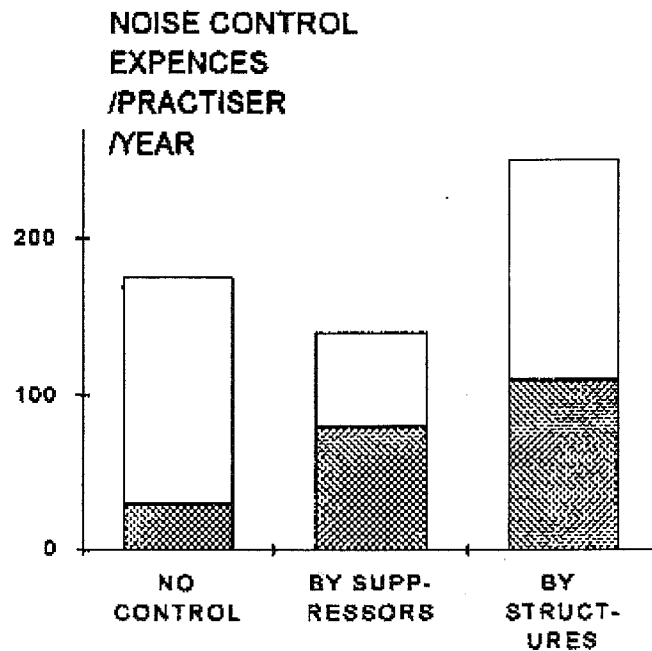


15 HEARING PROTECTORS?

The combined attenuation of protector and suppressor seems to remain modest. However, even when shooting with a suppressor it is good to wear (light) protectors: they help to concentrate.

In maneuvers, theatre or cinema production or exercises etc. all participating people should absolutely have hearing protectors, if present blank cartridges are used without suppression. The first shot is the most dangerous to hearing. If both shooters and bystanders use protectors in advance, and conscientiously, and the protectors are of an adequate type and fitted in, the protection is nowadays reliable. Large, heavy cups with stiff sealing discs and great frame force are suitable, expanding plugs as well. For heavy weapons double protection, cups + plugs, is used. Even that is not

always enough. (Combined effect of cups and plugs is modest).



16 EXPENSES?

The unit price of a mass-produced suppressor may be reduced to about 200 to 300 FIM (20 to 30 £). The cost-effectiveness of suppressors is already now better than that of any shooting place constructions or hearing protectors.

The integrated noise control expenses for all Finnish outdoor shooting ranges, three alternatives:

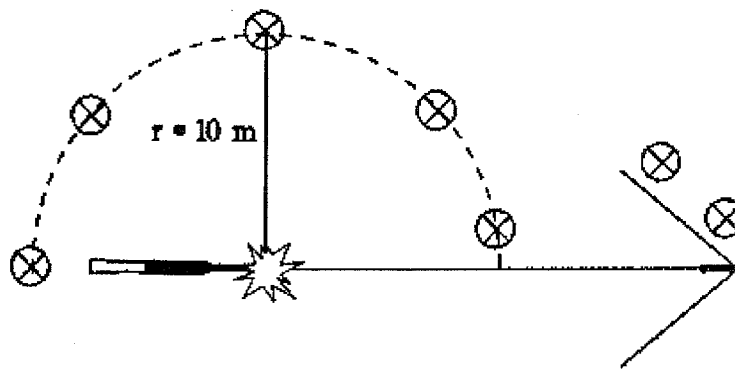
"Traditional" (no noise control, new range acquired further away if difficulties);

trial and protector expenses 124 mio FIM (Assumption: associations own the land),

Structure oriented; embankment, barrier, shelter and protector expenses 290 mio.

Suppressor oriented; suppressor, cartridge and embankment expenses 143 mio, about 100 FIM (10 £) per practiser/year.

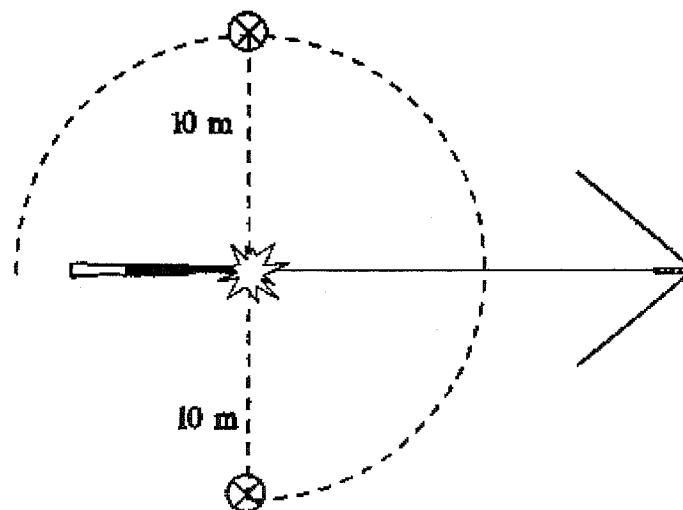
* Calculations are based on source 7 for a 20 year period. They do not include any expenses arising from hearing damages. As an average price of a suppressor, 850 FIM has been chosen.



17 MEASUREMENT?

The attenuation, or more precisely the insertion loss, of suppressors for rifle caliber firearms can be measured with sufficient accuracy for most practical purposes by a four-point method in free field*. The insertion loss is measured for rear sector and, if necessary, also for front sector with bullet noise eliminated.

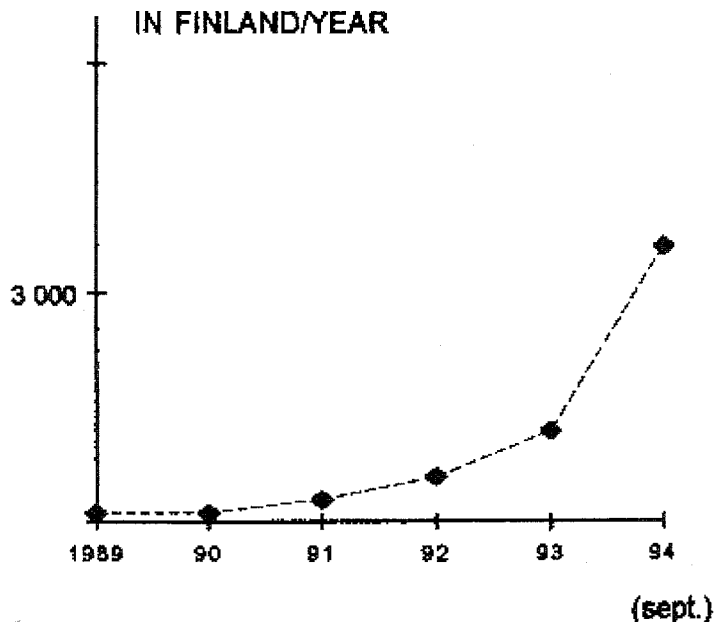
* Work item proposal: Acoustics. Measurement of impulsive noise emission of rifles shooting supersonic projectiles. Engineering methods.



18 INSTANT MEASUREMENT

Survey type measurements with only one microphone can be made by a simplified method: one second exposure level SEL (L_{AX} , L_{E1s}) is measured 10 meters aside for five shots with and without suppressor. The ballistic crack has a negligible influence in this point and the measurement results obtained here represent fairly well the mean of encircling measurement results. Only combinations representing the same caliber class can be compared by this method.

EVALUATED NUMBER OF SOLD HUNTING RIFLE SUPPRESSORS IN FINLAND/YEAR



19 VIEWS

Nowadays every engine driven vehicle or machine has an efficient muffler: attenuation several tens of decibels. The newest active control applications attenuate even the lowest frequencies down to background noise level*. For firearms active noise and vibration (shock) control is just beginning? Control of noise and other emissions is probably mainly transferred to designers of weapon factories, where it belongs; e.g. a common two-barreled shotgun is difficult to be attenuated afterwards. This way also the reliability of functions is best optimized.

* Herdouin L et al.: An anti-pulsatory device used as an active noise control system in a duct. Acta Acustica 1 (1993) pp. 189-198.

REPORTS:

- 1 Työsuojeluhallitus, Selvityksiä 1/93, Vaimentimien mittaukset 1992, Tiivistelmä. Tampere 1993, 33+14 s. (Out of stock)
- 2 Opetusministeriö, Liikuntapaikkajulkaisu 39, Ampumaratojen melu- ja turvarakenteiden kehittäminen. Suomen Ampujainliitto ry, MV-konsultit/Maa ja Vesi Oy, Insinööritoimisto Kari Pesonen Oy. SVUL-paino, Helsinki 1993, 79 s.
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- 4 Pääkkönen R, Kyttälä I: Työhallinnon julkaisu 29, Kiväärien ja pistoolien äänenvaimentimet, Loppuraportti 1. Työministeriö, Tampere 1993, 96 s.
- 5 Pesonen K: Äänenvaimentimien vaikutus luotiaseiden laukausääniin ja ympäristömeluun. Ympäristönsuojelutekniikan julkaisu 3/1994. Teknillinen korkeakoulu, ympäristötekniikan laboratorio. Espoo, 60 s.
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Ympäristönsuojelutekniikan julkaisuja 2/1994. Teknillinen korkeakoulu, ympäristötekniikan laboratorio. Espoo, 87 s.

7 Kukkola A: Ampumaratamelun yhteiskunnalliset kustannukset. Diplomityö. Lappeenrannan teknillinen korkeakoulu. Tuotantotalouden osasto. Lappeenranta 1994.

8 Kyttälä I: Vaimentimet ja ampumaratarakenteet, yhteenveto. Sisäisen lausuntokierroksen -94 yhteenveto. Moniste. Työministeriö. Tampere 1994.

Original publication:

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